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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN CLEARY, :
Plaintiff :
vs. : CIVIL NO. 1:CV-00-2125
KENNETH KYLER, et al., : (Judge Caldwell)
Defendants :
:

FILED
HARRISBURG, PA

APR 19 2002

MARY E. DANDREWS, CLERK
Per _____ Deputy Clerk

O R D E R

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

Currently pending before the Court is defendants' motion for leave to file a statement of material facts in support of their summary judgment motion. Defendants concede that their statement of material facts was not filed simultaneously with their motion for summary judgment, as required by Local Rule 56.1, and wish to correct the oversight. Since their summary judgment motion only recently became ripe, we will grant the motion, and allow Plaintiff to file a counter-statement of material facts.

AND NOW, this 19th day of April, 2002, it is ordered that:

1. Defendants' motion for leave to file a statement of material facts (doc. 41) is granted.
2. Defendants statement of material facts will be accepted nunc pro tunc.
3. Within fifteen days of the date of this order Plaintiff may file a counter-statement of material facts in accordance with Local Rule 56.1 and an amended

response to Defendants' motion for summary judgment if desired.

4. Defendants may file an amended reply brief within fifteen (15) days of receipt of the Plaintiff's filings.


William W. Caldwell
WILLIAM W. CALDWELL
United States District Judge